



Planning and Zoning Board

Staff Report

CASE NUMBER: ZON17-00591
LOCATION/ADDRESS: The 800 block of North Gilbert Road (east side)
GENERAL VICINITY: Located on the east side of Gilbert Road and south of Brown Road
REQUEST: Rezoning from OC to LC with a Special Use Permit; and Site Plan Review.
PURPOSE: This request will allow for the development of a building materials and services facility with accessory outdoor retail display.

COUNCIL DISTRICT: District 1
OWNER: Mellett Laurel
APPLICANT: Boyd Thacker, Brock, Craig & Thacker Architects
STAFF PLANNER: Lisa Davis, AICP, Planner II

SITE DATA

PARCEL NO.: 140-08-405A and 406A
PARCEL SIZE: 1.7+/- acres
EXISTING ZONING: OC
GENERAL PLAN CHARACTER: Neighborhood Suburban
CURRENT LAND USE: Vacant

SITE CONTEXT

NORTH: (across the alley) Existing residential, zoned RS-9
EAST: Existing residential, zoned RS-9
SOUTH: Existing school, zoned OC
WEST: (across Gilbert Road) Existing residential, zoned RS-9

STAFF RECOMMENDATION: Approval with conditions

P&Z BOARD RECOMMENDATION: ☐ Approval with conditions. ☐ Denial

PROPOSITION 207 WAIVER SIGNED: ☒ Yes ☐ No

HISTORY/RELATED CASES

January 17, 1972: Annexation of 576 acres into the City of Mesa (Ord. No. 724).
February 27, 1979: Rezoned 3.8-acre property from R1-9 to RS (Z78-041 and Z78-109).
June 19, 1982: Rezoned to from R1-9 to OS 2.5 acres (Z82-058).
September 17, 2007: Rezone of the northern portion of the lot from RS-9 to OC and Site Plan Review approval. (Z07-085).

PROJECT DESCRIPTION / REQUEST

This is a request for approval of Rezoning, Special Use Permit and Site Plan Review to allow the development of a building materials and services facility with accessory outdoor retail display. The requested rezoning is from the existing OC-Office Commercial to LC-Limited Commercial to accommodate the proposed use. Mow Power is proposed to locate here with a 7,282 square foot (SF) retail building with 12,435 SF of repair shop, storage and equipment awning for a total of 19,717 SF of building. The proposed 2,520 SF of accessory outdoor retail display is located at the southeast corner of the site. It will include large rental equipment on trailers such as trenchers and bobcats. The site is located south of Brown Road on the east side of Gilbert Road.

NEIGHBORHOOD PARTICIPATION:

The applicant has provided a Citizen Participation Plan. It includes an action plan to mail letters to property owners within 500' of the site. It does not indicate that HOA's or registered neighborhoods were notified as is typically suggested by staff. Staff typically suggests that property owners within 1,000' of the site are notified. The plan does indicate that a neighborhood meeting was planned and held on January 27, 2018. At the time of the writing of this report, the Citizen Participation Report has not been provided to see any neighborhood concerns/comments. Staff will update the Board during the Planning and Zoning Board Study Session.

STAFF ANALYSIS

MESA 2040 GENERAL PLAN:

Staff has reviewed the proposal and found that it is consistent with the criteria for review has outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan and has determined that the proposed use is in conformance with the General Plan.

The Mesa 2040 General Plan Character area designation is Neighborhood Suburban. The primary focus of the neighborhoods character type is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. Neighborhoods can contain a wide range of housing options and often have associated nonresidential uses such as schools, parks, places of worship, and local serving businesses. The total area devoted to local serving businesses (commercial and office activities) in one location is generally less than 15 acres and these businesses would typically serve people within a mile radius of the area. The proposed project is consistent with the General Plan by providing a commercial business to serve the immediate neighborhood and surrounding community. The requested LC zoning district is listed as a secondary zoning district expected in the Neighborhood Suburban character area.

ZONING:

This request is to rezone from OC to LC. The site has single residences to the north and east of the site and single residences across Gilbert Road. An existing Montessori School, currently zoned OC, is located at the south side of the property. Based on the narrative and site plan provided by the applicant, the Zoning Administrator interpreted the Mow Power as a building materials and services use. In addition, the Zoning Administrator interpreted the proposed outdoor display of landscape equipment for rent is within the accessory outdoor retail display use allowed with the approval of a Special Use Permit. The requested Limited Commercial (LC) zoning district is needed to allow for the building materials and services use for Mow Power.

Special Use Permit:

A Special Use Permit (SUP) is required for an accessory outdoor retail display for the building materials and services use as discussed above. A total of 2,520 SF is proposed for landscape equipment, such as trenchers and bobcats, that will be displayed on trailers. The applicant is seeking approval of the SUP. The Mesa Zoning Ordinance (MZO) Section 11-70-5, establishes required findings that must be met for the SUP to be granted. A SUP shall only be granted if the approving body determines that the project as submitted or modified conforms to all of the following criteria. If it is determined that it is not possible to make all of the required findings, the application shall be denied. The specific basis for denial shall be established in the record. Below is the required criteria and Staff review under each one:

1. *Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plan and/or policies;*
The proposed use is consistent with the goals and objectives of and is consistent with the policies of the General Plan as discussed above.
2. *The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and with any other applicable City plan or policies;*
As proposed, the project meets all setback requirements for the proposed LC zoning district. If the rezoning is approved the accessory outdoor retail display is typical for this type of use. The proposed outdoor display of large equipment at the south-east portion of the site will be limited to the 2,520 SF of area as indicated on the site plan. The proposed project is meets the criteria.
3. *The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and*
The proposed building materials and services use is a permitted use in the LC district which is the reason for the request to rezone. The accessory outdoor retail display that requires the SUP is a small portion of the site. The project as proposed does not appear to be injurious or detrimental to the adjacent or surrounding properties or the general welfare of the city.
4. *Adequate public services, public facilities and public infrastructure are available to serve the proposed project.*
All services are available to serve the project.

SITE PLAN - MZO Section 11-69-5:

	Area	Maximum Height
Site Area	1.7± acres	
Retail Building	7,282 SF	
Repair Shop	2,102 SF	
Warehouse/Storage	2,378 SF	
Metal Awning	7,955 SF	
Total Building Area	19,717 SF	25'-8"
Parking	Required	Proposed
	27	28

Site Plan Review is required because the project fronts an arterial street, Gilbert Road. This proposal includes 19,717sf of building coverage in the form of a new retail building and repair shop, and storage. Access to the site is proposed from north Gilbert Road. The southernmost driveway will be utilized for entrance only and the northernmost is exit only. Rolling gates extend across the driveways to secure the site after hours. Mow Power anticipates customers with trucks and trailers that will park in appropriate spaces, 12' wide and 40' long, located north of the entrance to the site. Review of the proposed grading and drainage plan indicates that retention is proposed in the right of way. This will need to be revised to comply with City code that requires all retention to be on site. A pedestrian connection has also been provided connecting the sidewalk at Gilbert Road to the building entrance. The proposed site plan meets the review criteria of MZO Section 11-69-5 of the Zoning Ordinance with the required revisions of the grading and drainage plan.

The Design Review Board has reviewed the project at the February 13, 2018 work session. Suggestions provided by the Board include revision of the east elevation of the building to include more articulation, addition of two to three trees on the east side of the property adjacent to the existing residential houses and revisions to the detached monument sign. The applicant will work with staff for review of these revisions to obtain approval of DRB17-00592.

CONCLUSION:

The proposed project complies with the General Plan and meets the review criteria for rezoning from OC to LC, MZO section 11-6, a Special Use Permit, MZO Section 11-70-5, for accessory outdoor retail display and Site Plan Review from MZO, Chapter 69 Section 11-69-5. Staff recommends approval with the following conditions:

CONDITIONS OF APPROVAL:

1. Compliance with the basic development as described in the project narrative, the site plan, landscape plan, and preliminary elevations.
2. Compliance with all City development codes and regulations.
3. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication, whichever comes first.
4. Compliance with all requirements of Design Review approval.
5. **The accessory outdoor retail display shall be limited to the 2,520 SF of area indicated on the site plan.**